

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                             |   |                       |
|-----------------------------|---|-----------------------|
| ABBOTT DIABETES CARE, INC., | ) |                       |
|                             | ) |                       |
| Plaintiff,                  | ) |                       |
|                             | ) |                       |
| v.                          | ) | C. A. No.: 05-590-GMS |
|                             | ) |                       |
| DEXCOM, INC.,               | ) |                       |
|                             | ) |                       |
| Defendant.                  | ) |                       |

**STIPULATION AND [PROPOSED] ORDER**

WHEREAS, under the Court's Scheduling Order (D.I. 31), the deadline for the parties to exchange lists of disputed claim terms is June 26, 2006;

WHEREAS, a dispute has arisen between the parties regarding the number of claims being asserted and the parties have a teleconference with the Court scheduled for June 29, 2006 to discuss those issues;

WHEREAS, the parties would find an extension of certain dates, as set forth below, helpful in order to allow the parties to reflect the Court's resolution of their dispute in their respective lists of disputed claim terms and other claim construction paper;

Counsel for the parties hereby stipulate and agree, subject to Court approval, that the following dates in the Scheduling Order (D.I. 31) are extended as follows:

1. The deadline for the exchange of lists of disputed claim terms shall be extended from June 26, 2006 to July 5, 2006.

2. The dates shall be extended by one week for the parties: (a) to meet and confer regarding narrowing and reducing the number of claim construction issues, (b) to submit a Final Joint Claim Chart and (c) to submit opening claim construction briefs, to July 17, 2006, July 24, 2006 and August 10, 2006, respectively.

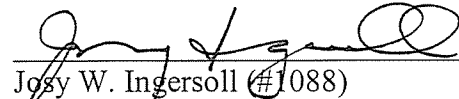
3. All other dates shall remain the same.

MORRIS, NICHOLS, ARSHT &  
TUNNELL LLP

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

/s/ Mary B. Graham

Mary B. Graham (#2256)  
1201 N. Market Street  
Wilmington, DE 19801  
(302) 351-9287  
*mgraham@mnat.com*



Josy W. Ingersoll (#1088)  
John W. Shaw (#3362)  
The Brandywine Building  
100 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 571-6600  
*jingersoll@ycst.com*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
United States District Judge